

City Council Minutes
March 8, 2016
City Hall Auditorium
7:00 pm

1. Meeting was called to order @ 7:03 pm
2. Pledge of Allegiance was led by Councilor McClure
3. Roll Call: Members present were Councilor McClure, Councilor Sherwood, Councilor Sickorez, Councilor Stanganelli, Councilor Bartley, Councilor Einson, Councilor Scorzoni and Councilor Lavoie arrived late. Councilor McMilleon was absent.
4. Act on minutes – None at this time

5. Correspondence

a. President/Vice President Communications

1.) Unveiling of New Podium

Councilor Bartley welcomed the members of the Makers Space of the Coastal Connection Community. She also welcomed Deb and Larry Plumer and the Coastal Connection staff and family members. She also thanked Rosemary Warner who got this process together and on behalf of the citizens of Amesbury she asked them to accept our most sincere gratitude for the handcrafted podium that they presented.

Deb Plumer gave a short presentation was given by the members of Coastal Connection and they unveiled the podium.

Mayor Gray offered his thanks for the gift to the city and gave a Mayoral Proclamation that Coastal Connection be commended for their outstanding service to the city of Amesbury and that this proclamation be presented to serve as a reminder that they will always be remembered for their service and dedication to the residents of this community.

Councilor Scorzoni thanked everyone for all their work and help and for the donation. He also on behalf of the city council they gave thanks to Bonnijo Kitchen and the Clerk's Office as well as the election volunteers who helped organize the election at the High School. We had a 49.82% voter turnout; 5446 total voters out of 10,931 eligible voters.

b. Communication from Elected Officials, Boards and Commissions

1.) Melanson & Heath Financial Review

Councilor Scorzoni stated that they will get together on March 22, 2016 as part of our regular Finance Committee meeting to discuss this.

We will need to reschedule the workshop that we had planned on that day to discuss committee re-org. In the interim we can defer to the Rules Committee that is in place now to have a meeting and talk about what is on the books now for rules and come back to the Council meeting with recommendations on how to reorganize.

c. Council Communications, Announcements and Committee Reports

6. Appointments

2016-026 Appointment of Robert E. Gaudet to the Board of Registrars for a term to expire March 31, 2019.

Councilor Sickorez moved to approve 2016-026 and Councilor Bartley seconded. It was Unanimous.

2016-034 Re-Appointment of Matt Sherrill to the zoning Board of Appeals for a term to expire June 30, 2020.

Councilor McClure moved to approve 2016-034 and Councilor Sickorez seconded. It was Unanimous.

2016-035 Re-Appointment of Sharon McDermot to the Zoning Board of Appeals for a term to expire June 30, 2021.

Councilor Einson moved to approve 2016-035 and Councilor McClure seconded. It was Unanimous.

2016-036 Re-Appointment of William Lavoie to the Zoning Board of Appeals for a term to expire June 30, 2021.

Councilor Stanganelli moved to approve 2016-036 and Councilor McClure seconded. Councilor Lavoie asked to be noted as no vote. The vote was 7 In Favor and 1 Abstain.

2016-037 Appointment of Matthew Vincent as an Associate member to the Zoning Board of Appeals for a term to expire June 30, 2019.

Councilor Stanganelli moved to approve 2016-037 and Councilor Bartley seconded. It was Unanimous.

2016-038 Appointment of David Haraske as an Associate member to the Zoning Board of Appeals for a term to expire June 30, 2017.

Councilor Bartley moved to approve 2016-038 and Councilor Stanganelli seconded. It was Unanimous.

7. Licenses & Permits – FYI-attached list

Councilor Stanganelli moved to accept the list of licenses as presented. Councilor Sherwood seconded. It was voted Unanimous.

8. Pole Hearings

2016-023 National Grid request #20210030 – Elm St. Pole #81

David Boucher, Senior Designer at National Grid asked to place 2, 4" conduits underground from the pole onto the property of the hotel to provide electric service to the hotel. If the city sees fit it will enable us to come out of the public way and onto the private property there.

Councilor Lavoie asked how deep they are buried.

Mr. Boucher stated that they are approximately 30 to 36" deep.

Councilor Lavoie was concerned about the reconstruction that will be taking place on Elm St. and the digging that will happen.

Councilor Einson asked how long this would take.

Mr. Boucher stated that the customer would have to provide them with other things they need to get on the property but it will be within a few days. He stated that if Elm St. needed to be obstructed the Foreman of the job would go through the procedures to get a Police Officer to direct traffic.

Councilor Scorzoni opened and asked if there were any abutters present that were interested in speaking. There were none so he closed the public hearing.

Councilor McClure moved to approve 2016-023 as presented. Councilor Sickorez seconded. It was voted Unanimous.

9. Public Comment

Rosemary Warner, 11 North Martin Rd. spoke about signage that is put on city property near the Welcome to Amesbury signs regarding mattresses for sale which is a business out of New Hampshire. She also saw someone nailing garage sale signs to a tree. She is concerned because they have worked hard to do things in the town and make things look better. People need to be aware that we are not going to allow it. If you allow a sign for somebody you open it up for all. There have also been signs across from Friendly's. She asked for this to be discussed at the Council level to let the people know.

James N. Thivierge, 8 School St spoke about the Annual Report and the fact that there was \$1700.00 appropriated for it and he wants to see it. He spoke about documents he has supplied the Council with on the 2015-2016 tax rate recap and the fact that they spent \$2.3 million more in appropriations. You also applied free cash of \$1.4 million which came from the previous year. Free cash is supposed to reduce gross raised revenue. In other words it is supposed to reduce the property tax in 2015 which it didn't. He spoke about the Reserve Fund and the Levy Limit. He asked that the Rules Committee have 10 resident members. He stated that his FOIA request is still outstanding. He wants the aggregate expense at the classification hearing.

10. Council Response to Public Comment

Councilor Lavoie stated that as far as Rosemary's plea about signs we have seen in the pole hearing that even Utility Companies have to get city permission to do something within the right of way. Nobody in the city has given permission to anybody to put up private signs within the public way. It is a violation of our Ordinances. It is a fineable offense. We don't have sign police to enforce but he encourages that if you see something, say something. Be in touch with city hall and call attention to the fact.

Councilor Stanganelli asked who the person is that they should call.

Councilor Lavoie stated that typically signage is dealt with through the zoning codes. Zoning codes prohibit it making it a fineable offense. Technically if you are near a cop and you see someone tacking a sign on, grab the cop but Denis Nadeau is in addition to the Building Inspector he is also the Zoning Enforcement Officer so that is why you would contact him.

Councilor Stanganelli asked if that applies to political signs as well.

Councilor Sherwood stated that it does and it is regulated by the State.

Councilor Scorzoni thanked Ms. Werner for bringing this to the attention of the Council. He stated that they are willing to bring in Denis and elevate conversation a bit and get exposure to the concern that she has.

11. Public Hearings:

2016-018 An Order to authorize the Mayor to accept and expend a grant in the amount of \$37,711 from the Josetta Fund for the purpose of procuring a new K-9 cruiser. – Mayor Gray Sponsor

Summary: The Josetta Fund has generously gifted this grant to the City for the purchase of a new K-9 cruiser. The IRS recognizes the Josetta Fund as a tax-exempt nonprofit organization pursuant to section 501C (3) of the Internal Revenue Code.

Police Chief Ouellet, stated the Josetta Fund is a non-profit 01C group that helps to support K-9 programs around the commonwealth. We made a request and they were gracious enough to approve it. With the Council's approval tonight we would be able to accept those funds.

Councilor McClure read the Finance Committee recommendations.

Public Hearing was opened and closed.

Councilor McClure moved to approve 2016-018 to authorize the Mayor to accept and expend a grant in the amount of \$37,711 from the Josetta Fund as submitted. Councilor Stanganelli seconded. Roll Call Vote - Unanimous (8 members present)

2016-020 An Order to appropriate an insurance payment in the amount of \$39,900 from MIIA per MGL CH44; §53. – Mayor Gray Sponsor

Summary: Amesbury has been reimbursed from Massachusetts Inter-local Insurance Association for Claim No. M15AP92330, damage to a front-line cruiser, 2010 Ford CV, - 110633, DOL 12/20/2015.

Police Chief Ouellet stated that this is a formality to accept the funds.

Councilor McClure read the recommendation from the Finance Committee.

Councilor Scorzoni opened and closed the public hearing.

Councilor Stanganelli moved to approve as recommended by the Finance Committee. Councilor McClure seconded. Roll Call Vote – 8 Yes (8 members present)

12. First Readings

a.) Resolutions

2016-029 A Resolution Calling for Full Funding of the Foundation Budget Review Commission's Recommendations – Councilor Sherwood and Councilor Einson Sponsor

Summary: A Resolution calling on the Massachusetts legislature to fund and adopt the 2015 Foundation budget Review Commission's recommendations, in order to provide relief and support to local communities and property tax payers.

Councilor Sherwood presented a handout with Chapter 70 review recommendations. This is calling for the legislature to adopt the regulations and to fund the formula.

Councilor Einson had a second handout "what does this mean to us?" If this resolution is in fact adopted and the state finances the recommendations fully; it would add about somewhere between \$200 and \$300 thousand dollars of Chapter 70 funding to Amesbury.

Councilor Sherwood stated that the resolution was copied verbatim except for naming Amesbury City Council in the text of it from a resolution that is being presented by communities throughout the commonwealth. He has a list of approximately 30 communities who have passed it. The content was taken from the Suburban Coalition.

Councilor Stanganelli asked if the intent is to package this up with the other coalition members and present it to not only our legislative members but also the Governor's Office.

Councilor Sherwood stated it is.

Councilor Stanganelli stated that property taxes are regressive and anything that we can do to increase the State's share of education we should be doing.

Councilor Bartley asked if the red line increase in Special Ed costs due to the increase in enrollment in Special Ed or is it due to the cost per student.

Councilor Einson stated that he did not know the answer to that but stated that it is just indicating the amount of money they are actually spending on Special Education. He feels he would have broken this out further to show that quite a bit of this is the out of district placements that are responsible for quite a number of increases. Also, this shows percent change not dollar change and most of the increases are driven by the increases in Special Education.

Councilor Stanganelli stated that he spoke to Dr. Reese at some length about this and the workshop that we had in 2014 was informative. The big change that is effecting this is Special Education transportation and healthcare.

Councilor Sherwood stated that the commission didn't have recommendations in regards to transportation costs so that is not include in the resolution. He believes that Senator O'Connor Ives is co-sponsoring legislation to increase the reimbursement for out of district special education transportation which is a large cost for communities such as Amesbury.

Councilor Bartley asked what the healthcare was for.

Councilor Sherwood stated that is the employee healthcare.

Councilor Bartley questions the portion of the employee costs. More and more people are having to pay more for their healthcare.

Councilor Scorzoni stated that the Administration and the School Committee are in the middle of negotiations now. That is a question that we should be asking soon.

Councilor Bartley asked how we follow up on that.

Councilor Scorzoni stated that you can contact the Mayor who is the Chair of the School Committee or a School Committee member. They have budget workshops taking place now. If you have something you want to discuss you might want to get them to engage in that discussion sooner than later.

Councilor Stanganelli moved to adopt as presented. Councilor McClure seconded.
Voted Unanimous (8 members)

Councilor Scorzoni stated that his firm works with the Solar Energy Industry Association and asked that the Council move 2016-032 to the end of the agenda so that he can recuse from this issue.

2016-032 Amesbury City Council Resolution to support the following steps by the City of Amesbury as outlined below. – Mayor Gray Sponsor

Summary, A Resolution to support the following:

Net metering is a billing mechanism that credits solar energy system owners for the electricity they add to the regional power grid. Through agreements with solar developers net metering facilitates revenue and energy savings to municipalities. In 2014, as a result of legislation passed that year, the Massachusetts Department of Public Utilities capped net metering at five-percent (5%) of a utility's historical peak load for public entities. For areas serviced by National Grid, that cap was reached. There are two proposed solar projects in the City of Amesbury that will not occur as proposed, unless the cap is lifted. Both of these projects are planned on capped landfills, property that currently delivers marginal revenue to the City. The first project, by Citizens Energy, is proposed on the 30-acre, privately owned, Waste Management landfill and will deliver six-megawatts of power and revenue through a PILOT. The City has also executed an RFP and selected a developer, Sun Edison, for the City-owned Titcomb landfill. This 4.5-megawatt project on 17-acres will deliver a lease payment, and savings on energy costs. The City must request that the Commonwealth of Massachusetts continue its proactive stance on renewable energy and lift the net metering cap in a manner that sustains the revenue stream to municipalities and expands the use of the renewable technology to reduce impacts on the environment.

2016-033 Amesbury City Council Resolution to support the following steps by the City of Amesbury, Massachusetts as outlined below. – Mayor Gray Sponsor

Summary, A Resolution to support the following:

The City of Amesbury has been plagued, for nearly 30 years, by the eyesore and contamination of the former Microfab site at 104 Haverhill Road. Multiple options have been considered by the City of Amesbury, and Mass DEP, to further investigate and clean-up the site. A viable option has been offered by the EPA: to propose the Microfab site to the NPL (National Priorities List), to then clean-up the site through the Superfund program. The EPA requires a letter of support from the Governor of the Commonwealth of Massachusetts prior to adding a site to the NPL. It is the intent of this Resolution to provide the EPA with the support necessary toward achieving the status on the NPL to move forward with a clean-up. Further, this Resolution will serve as evidence of the City's support to seek future resources, such as grants, which would aid the City, MADEP, and EPA in their endeavor to clean-up and redevelop the Microfab site.

Councilor Scorzoni stated that the Mayor and his team at Community Development organized a workshop with the City Council, the Environmental Protection Agency, DEP and local abutters to provide us background on the issues at Microfab and have outlined steps to designate this site as a Superfund. That was back on February 23 so I am not sure if there are any questions.

Bill Scott, Community Development Director stated they are at the stage where once the resolution is adopted they put together a package that goes to the EPA and they use and get the support from the Governor. They have tailored that package with letters of support from several departments and a letter from the Board of Directors of the Chamber of Commerce in support. The package will be used to seek further grant funding as they move forward to the re-development process. The documents you should have a presentations by the city and one by DEP. Two brochures; one by the EPA and one by the City and then the resolution itself and letters of support.

Councilor McClure asked if there was any cost to the city.

Mr. Scott stated that there is no cost for the Superfund designation. They are working with the EPA to determine where we can take part through grants with the demolition of the building. Our goal is to get the site cleaned up and leveled.

Councilor Scorzoni opened and closed the public hearing.

Councilor Stanganelli moved to approve 2016-033 as presented. Councilor Sherwood seconded. Voted Unanimous (8 members present)

b.) Orders

2016-024 An Order to authorize the Mayor to accept and expend a Massachusetts Working on Wellness grant in the amount of \$10,000 from Health Resources in Action Inc. for the purpose of promoting employee wellness in the City and in the Amesbury Public School District. – Mayor Gray Sponsor

Summary: Mayor Gray is requesting authorization to accept and expend a Massachusetts Working on Wellness (WOW) grant in the amount of \$10,000 from Health Resources in Action, Inc. (HRA). HRA is awarding the grant on behalf of the Massachusetts Department of Public Health pursuant to Chapter 224 of the Acts of 2012. The grant requires a 50% local match, which will be provided entirely by the Massachusetts Inter-local Insurance Association (MIIA) through in-kind services.

Councilor Lavoie moved to refer to the Finance Committee for a recommendation and schedule a public hearing at the City Council meeting of April 12, 2016. Councilor Einson seconded and it was voted Unanimous.

2016-025 An Order to authorize the Mayor to accept and expend a Community Compact grant in the amount of \$15,000 from the Massachusetts Executive Office of Administration and Finance. – Mayor Gray Sponsor

Summary: The City was accepted into the Baker Administration's Community Compact Cabinet program. EOANF is providing this grant for the purpose of developing a comprehensive multi-year technology roadmap to allow for better technology planning in the City and the Amesbury Public School District.

Councilor Sherwood moved to refer to the Finance Committee for a recommendation and schedule a public hearing at the City Council meeting of April 12, 2016. Councilor Sickorez seconded and it was voted Unanimous.

2016-027 An Order to authorize the Mayor to accept and expend a Community Compact grant in the amount of \$40,000 from the Massachusetts Executive Office of Administration and Finance – Mayor Gray Sponsor

Summary: The City was accepted into the Baker Administration's Community Compact Cabinet program. EOANF is providing this grant for the purposes of improving the City financial policies, procedures, and budget format, as well as providing resources for improved financial planning and forecasting.

Councilor Sherwood moved to refer to the Finance Committee for recommendation and to schedule a public hearing at the City Council meeting of April 12, 2016. Councilor Stanganelli seconded and it was voted Unanimous.

2016-028 An Ordinance to Establish an Open Space and Recreation Committee for the City of Amesbury - Councilor Sherwood sponsor

Summary: An Ordinance establishing an Open Space and Recreation Committee for the purpose of supporting the maintenance, updating, and implementation of Amesbury Open Space and Recreation Plan.

Councilor Scorzoni asked if this should be lumped in with the meeting to be schedule with the Rules Committee.

Councilor Sherwood stated that this is not a Council Committee this is an external committee. The Rules Committee will review all Council Committees and Council rules only.

Councilor McClure moved to refer this to the Ordinance Committee for a recommendation and to schedule a public hearing at the City Council meeting of April 12, 2016. Councilor Sherwood seconded and it was voted Unanimous.

2016-030 An Order to appropriate the sum of \$30,000 from the Smart Growth Stabilization Fund (7301) for engineering and survey services related to the City-owned property at 116 Whitehall Road. – Mayor Gray sponsor

Summary: Fund #7301, "Smart Growth Stabilization Fund," was established pursuant to City Council Order 2007-075 upon award of a \$350,000 grant provided in accordance with M.G.L. C. 40R. In December of 2015, the City Council authorized an appropriation of \$250,000 from this fund for various public improvements. This order seeks a \$30,000 appropriation from the same fund for the purpose of procuring engineering and survey services in preparation for eventual disposition and development of the City-owned property at 116 Whitehall Road.

Councilor McClure moved to refer to the Finance Committee and schedule a public hearing at the City Council meeting of April 12, 2016. Councilor Bartley seconded and it was voted Unanimous.

2016-031 An Order to authorize the Mayor to accept and expend a grant in the amount of \$23,250 from the Pre-Disaster Mitigation program for the completion of the All Hazards Plan, further that \$7,000 is appropriated from the balance of 40R funds (\$100,000) to provide the match for said grant. – Mayor Gray sponsor

Summary: The All Hazards Plan is a document required by the Massachusetts Emergency Management Agency and the Federal Emergency Management Agency (FEMA) prior to acquiring grant funds through FEMA Programs. The City of Amesbury public Works Department working with Merrimack Valley Planning achieved a plan nearing 70% completion. The funds herein will complete the plan and file the document to receive approval from FEMA. The OCED has already procured services for consulting pending the funding release will work toward completion.

Councilor Stanganelli moved to refer to the Finance Committee and schedule a public hearing for the City Council meeting on April 12, 2016. Councilor Einson seconded and it was voted Unanimous.

Councilor Scorzoni recused himself from 2016-032.

2016-032 Amesbury City Council Resolution to support the following steps by the City of Amesbury as outlined below. – Mayor Gray Sponsor

Summary, A Resolution to support the following:

Net metering is a billing mechanism that credits solar energy system owners for the electricity they add to the regional power grid. Through agreements with solar developers net metering facilitates revenue and energy savings to municipalities. In 2014, as a result of legislation passed that year, the Massachusetts Department of Public Utilities capped net metering at five-percent (5%) of a utility's historical peak load for public entities. For areas serviced by National Grid, that cap was reached. There are two proposed solar projects in the City of Amesbury that will not occur as proposed, unless the cap is lifted. Both of these projects are planned on capped landfills, property that currently delivers marginal revenue to the City. The first project, by Citizens Energy, is proposed on the 30-acre, privately owned, Waste Management landfill and will deliver six-megawatts of power and revenue through a PILOT. The City has also executed an RFP and selected a developer, Sun Edison, for the City-owned Titcomb landfill. This 4.5-megawatt project on 17-acres will deliver a lease payment, and savings on energy costs. The City must request that the Commonwealth of Massachusetts continue its proactive stance on renewable energy and lift the net metering cap in a manner that sustains the revenue stream to municipalities and expands the use of the renewable technology to reduce impacts on the environment.

Tom Barrasso, acting Energy Manager spoke regarding this and gave a handout of the presentation.

He recapped on both projects as both being major solar fields. One that is owned by Waste Management and the other that is owned by the City of Amesbury at Titcomb pit. One is by Sun Edison and the other is by Citizens Energy. We are trying to build two solar fields to deliver the megawatts of power that will actually be fed back into the grid so that we can purchase electricity at a much reduced rate from National Grid. There are two key financial concepts, one is net metering and the other one is the S-recs. and are both incentive programs are designed to bolster the creation and the execution of solar power throughout the state of Massachusetts. They have nothing technically to do with the ability of the solar fields to be built or operate but rather the financial mechanisms as to how companies can come and actually produce the power and create the solar fields that we need. So basically the question is; What is Net Metering? Net metering is a benefit to customers whereby the excess power that will not be used will be sold back to National Grid. Net metering has been capped and historically it has been raised in the Commonwealth. The first time was 2014 where the cap was hit and no action from the legislature to raise that cap has been done. There has been a big debate about it, there has been a taskforce and nothing came out of that. We really need momentum to make sure that activity continues so that we can move forward with the projects that we have. The S-Recs are essentially another discount that you can achieve when you are developing solar fields. That cap is also reached and that is because when the net metering cap filled, S-Rec also filled up. So we are missing the boat on both of these programs because they are essentially closed. The net metering cap can get raised and the S-rec would have to be designed with probably an S-rec 3 program. He stated that he has with him tonight representatives from Sun Edison and Citizens Energy who can answer questions. Net metering caps were created to help mitigate things with the power utilities. So, the power utility and the Commonwealth get together through the Department of Utilities to generate the numbers that formulate that cap. They are stuck right now with the Taskforce that Governor Baker put together is going to come forward with a recommendation which should have happened in December. The Citizens landfill project could have already kicked off last July so we are really behind the curve. At this point both projects are at a standstill.

Emma Koziak, Project Manager with Citizens Energy is working on the 6 megawatt project owned by Waste Management. She does support raising the net metering caps. The economic benefits that are able to be passed on to communities like Amesbury are electricity savings and tax payments because of the net metering program. With it being capped there are a lot of projects out there that are at risk and we are not able to pass along the economic value to communities such as Amesbury.

Barrett LaChance of Sun Edison, the Project Lead for the Titcomb Pit project. He also had Rich Johnson from TRC who is the permitting expert on this project. He reiterated that this is hung up due to the net metering caps having been met in Massachusetts and there are a number of projects on a wait list. This is the project that the city would benefit from lease revenues as the owner of the site. Tax revenues as well as energy credits would be going to the city for this project. Based on the assessment that they made over the summer the projected value over the 20 years was \$15 million and without the cap being raised, that value cannot be realized. The S-rec program has

already been met and the Citizens Energy project was well underway before this project and was able to qualify for those renewable energy certificates but that is a second aspect of the economic viability of a project. Without those S-Recs the price the city would have to pay would increase significantly for the electricity. It would make it much less viable depending on what happens with the value of the net metering credits, almost impossible to make it fully viable. There will be a successor program designed for the S-rec. the current program is called S-Rec 2. It is the second iteration of the solar energy renewable credit program. There will be a third program. DOER has announced that they are already in the design stage however without them knowing that there is visibility on the net metering cap they are having difficulty designing exactly how much those incentives may be worth. It is a bit of a domino effect that the net metering caps need to be raised in the future and that has to happen through legislative action. There were some proposals in the fall at the state house and it was looking like there might be a compromise reached by both sides of the legislature but they were not able to come to a full conclusion. Resolutions, such as yours will be very helpful to have customers, stakeholders, aside from just the industry who is very obviously effected by this but communities that are not realizing benefits from projects due to inaction at the statehouse. We are moving forward with the intention of these projects qualifying with an increase.

Mr. Barrasso reiterated that the benefits to the City are that the generation of tax and lease revenue from these two pieces of property that really have no beneficial reuse to the City of Amesbury is phenomenal that we would get to this point where we would have \$15 million coming into the city. Lower electricity costs for the municipality, this is how we would negotiate our contracts moving forward to actually purchase our electricity. Return of blighted property back to productive re-use in Amesbury. Adding to the renewable portfolio across the Commonwealth of Mass. We want to make sure we are raising awareness to our legislators that critical action needs to happen now. We also want to foster working relationships with other towns and join with a common voice. We want to move both our projects forward to both get Amesbury on track with renewable energy and tax benefits.

Councilor Sickorez asked why there is a cap in the first place.

Mr. Barrasso stated that it is a complicated question and that meeting with the Dept. of Public Utilities, all the utility companies across the state; National Grid, Ever Source; everybody has caps in all the particular regions. National Grid argues that it cuts into the profitability and into the mechanics of how their grid system works. There are technical, financial and political issues.

Councilor McClure asked who the holdup is. Who is stopping the compromise in this negotiation?

Mr. Barrasso stated that they don't have an answer for that. They have been waiting since last fall for an answer and the Statehouse has had no resolution to this at all.

Councilor McClure asked if it was on a list to be brought back up and if there is a date for their next hearing.

Mr. Barrasso stated that he did not know when their next meeting would be.

Councilor Lavoie stated that he understands that the House, the Senate and the Governor have different opinions on this. Like every good political compromise it will happen but nobody knows when.

Councilor Einson asked about the waiting list of projects and if the cap is lifted will these projects move forward.

Ms. Koziak stated the Citizens project is pretty much ready to go.

Mr. LaChance stated that the Sun Edison project is not yet on the waiting list. There are three things needed. An interconnection service agreement which takes about 8 months after filing for it; that is expected to come in early May. They also need a signed agreement giving site license which they executed in the fall and all of the discretionary permits which are the post closure use permit and local town permit. Those process are underway and should come into our hands around the same time as the service agreement. As soon as we get all three of those pieces we will apply to be on the wait list or hopefully apply to receive our allocation by that point in time if the caps have been raised.

Mr. Barrasso stated that they have done everything that they possibly can to move these projects forward.

Councilor Stanganelli asked at what point would either company pull out or not complete.

Mr. Barrasso stated that nobody is at this point is prepared to answer that.

Councilor Stanganelli asked if there is concern of permits and time frames for them to be renewed.

Mr. Barrasso stated they are not there yet. Titcomb is still going through Planning and all the paperwork is in place on our end and on their end, the only hold up is the cap.

Councilor Stanganelli asked if the concept of having aggregation available is that dependent upon net metering.

Mr. Barrasso stated it is not.

Councilor Sherwood asked about opposing legislation to reduce net metering compensation rate and it would allow mandatory minimum charges to solar customers and it would raise the net metering cap to a level that would be insufficient.

Mr. Barrasso stated that the impact is on those who don't have solar power. The argument from the utility companies is that every time a power system like this comes on line someone who doesn't have one in their town gets impacted by the switching of utility monies that need to get spent in their part of the grid. He stated he cannot answer what that specific cap would be but there have n some proposals that would switch off from going between wholesale electric rates to wholesale and retail. Right now it is calculated on retail rate. If it were to go back to wholesale that number gets impacted and the agreements that we have with these two projects would have to be re-negotiated.

Councilor Lavoie moved to approve 2016-032 as presented. Councilor McClure seconded. Voted 7-Yes, 1- Recuse, Scorzoni

***Discussion of topics not reasonably anticipated by the chair 48 hours before the meeting.

13. Adjourn moved by Councilor McClure at 8:45pm and seconded by Councilor Sickorez. Voted Unanimous.

Respectfully submitted,

Sharon Dunning
Assistant City Clerk